

2009R00124  
ESW/dc

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA

*Plaintiff,*

v.

MICHAEL J. MCGRATH, JR.

*Defendant.*

Hon. Katharine S. Hayden, U.S.D.J.

Criminal No. 09-436

**Order Vacating Forfeiture of Real  
Property Located at 307-313 Newark  
Street, Hoboken, New Jersey**

**WHEREAS**, on August 25, 2011, a Final Order of Forfeiture was entered pursuant to the terms of the plea agreement under which the Defendant agreed, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), and 18 U.S.C. § 982, to the forfeiture of the following property:

- a. The contents of TD Bank account number 037720376, held in the name of Defendant and Susan C. McGrath ("his wife");
- b. The contents of TD Bank account number 7865781244, held in the name of EvenFlow Funding, LLC;
- c. The contents of TD Ameritrade, Inc. account number 181-019118, held in the name of Defendant and his wife;
- d. The contents of Newbridge Securities Corporation account number 7696-3204, held in the name of Defendant and his wife;
- e. The contents of J.P. Turner and Co. account number 76017813, held in the name of EvenFlow Funding, LLC.;
- f. The contents of J.P. Turner and Co. account number JPK012890, held in the name of Defendant and his wife;

- g. The contents of J.P. Turner and Co. account number JPK727644, held in the name of Defendant;
- h. The contents of Texas Capital Bank account number 1116000569, held in the name of EvenFlow Funding, LLC;
- i. The contents of Capital One Bank account number 3394002830, held in the name of U.S. Mortgage Corp.;
- j. The real property known as 307–313 Newark Street, Hoboken, New Jersey, held in the name of Hoboken Parking SPE 1, LLC;
- k. All funds not specifically identified above that Defendant has caused to be transferred to the U.S. Marshals Service;
- l. A sum of money equal to approximately \$139,648,807.70 in United States currency, representing the amount of proceeds obtained as a result of the offense (paragraphs (a)-(l) collectively describing the “Property”); and

**WHEREAS** the Defendant’s interest in the real property known as 307–313 Newark Street, Hoboken, New Jersey, had already been liquidated through the sale of that property as part of the parallel bankruptcy proceedings relating to this matter, with the proceeds of that sale being held in escrow by the Bankruptcy Trustee, the United States has requested that the Final Order of Forfeiture be vacated only as to the real property known as 307–313 Newark Street, Hoboken, New Jersey; and

**WHEREAS** good and sufficient cause has been shown,

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:**

**THAT** the Final Order of Forfeiture as to the real property known as 307-313 Newark Street, Hoboken, New Jersey, held in the name of Hoboken Parking SPE 1, LLC, is hereby vacated, with all other provisions of that Order remaining in full force and effect; and

**IT IS FURTHER ORDERED** that a Release of Lis Pendens for the above-referenced property be filed with the Office of the Hudson County Register, 257 Cornelison Avenue, Jersey City, New Jersey 07302 for the release of Lis Pendens that was previously filed on March 23, 2011 with the Hudson County, Register of Deeds in this matter.

**ORDERED** this 4<sup>th</sup> day of October, 2012.



Hon. Katharine S. Hayden  
United States District Judge